

Ordinance No. G-2015-2 Amended

Introduced By: Al Lindsey – Ward 6

Committee: Public Works

AN ORDINANCE TO VACATE CERTAIN PUBLIC WAYS OR PUBLIC PLACES WITH THE CITY OF EVANSVILLE, INDIANA, COMMONLY KNOWN AS PART OF THAT RIGHT-OF-WAY OF BOWER AVENUE LYING EAST OF SOUTH BOSSE AVENUE IN INDUSTRIAL ADDITION

BE IT ORDAINED by the Common Council of the City of Evansville, Indiana, as follows, to wit:

SECTION I

That pursuant to EMC 12.05.450, a sworn petition was presented to the Common Council of the City of Evansville, requesting that the public place or way described in Section III below be vacated by the City of Evansville.

SECTION II

After due and proper notice a timely public hearing was convened by the Common Council, at which time all interested persons were permitted to address the Common Council regarding said vacation.

SECTION III

That the Common Council of the City of Evansville, after due investigation and consideration has determined that the nature and extent of the public use and the public interest to be subserved as such as to warrant the vacation of that part of the public way or place described as follows, and further indicated by the words "To Be Vacated" on the drawing hereto attached as Exhibit "A", which is made a part of this Ordinance.

FILED

JAN 26 2015

Anna Windner
CITY CLERK

Part of Bower Avenue in Industrial Addition, as per plat thereof, recorded in Plat Book G, pages 136-137 in the office of the Recorder of Vanderburgh County, Indiana and being described as follows:

Beginning at the Southwest Corner of Lot 17 in Block 16 of said subdivision; thence along the south line of said Lot 17, East 137 feet to the Southeast Corner thereof; thence South 60 feet to the Northeast Corner of Lot 1 in Block 15 of said subdivision; thence along the north line of said Lot 1, West 137 feet to the northwest corner thereof; thence North 60 feet to the point of beginning and containing 8,220 square feet.

Therefore, the Common Council of the City of Evansville, Indiana, does hereby find the above-described public way or place is no longer required for public use and the public interest will be served by such vacation, and the Common Council of the City of Evansville does hereby vacate that portion of the public way or place described in Section III which is subject to the terms and conditions as stated in this Ordinance.

Passed February 9, 2015

Al. Sam Jones III

President

ATTEST:

Gaura Widhera

City Clerk

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the mayor of said city on the 11 day of February, 2015.

Gaura Widhera

City Clerk

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return the same to the City Clerk this 12th day of FEBRUARY, 2015, at 9:00 AM o'clock.

Ray Daniel

Mayor of the City of Evansville

This instrument prepared by Scott D. Buedel of Cash Waggner & Associates, PC; 414 Citadel Circle, Suite B; Evansville, IN, 47715; Telephone: (812) 401-5561.

I affirm, under penalty of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

SD

Scott D. Buedel

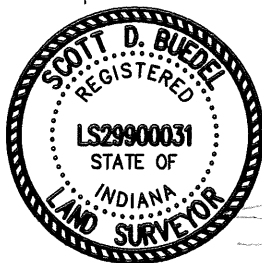
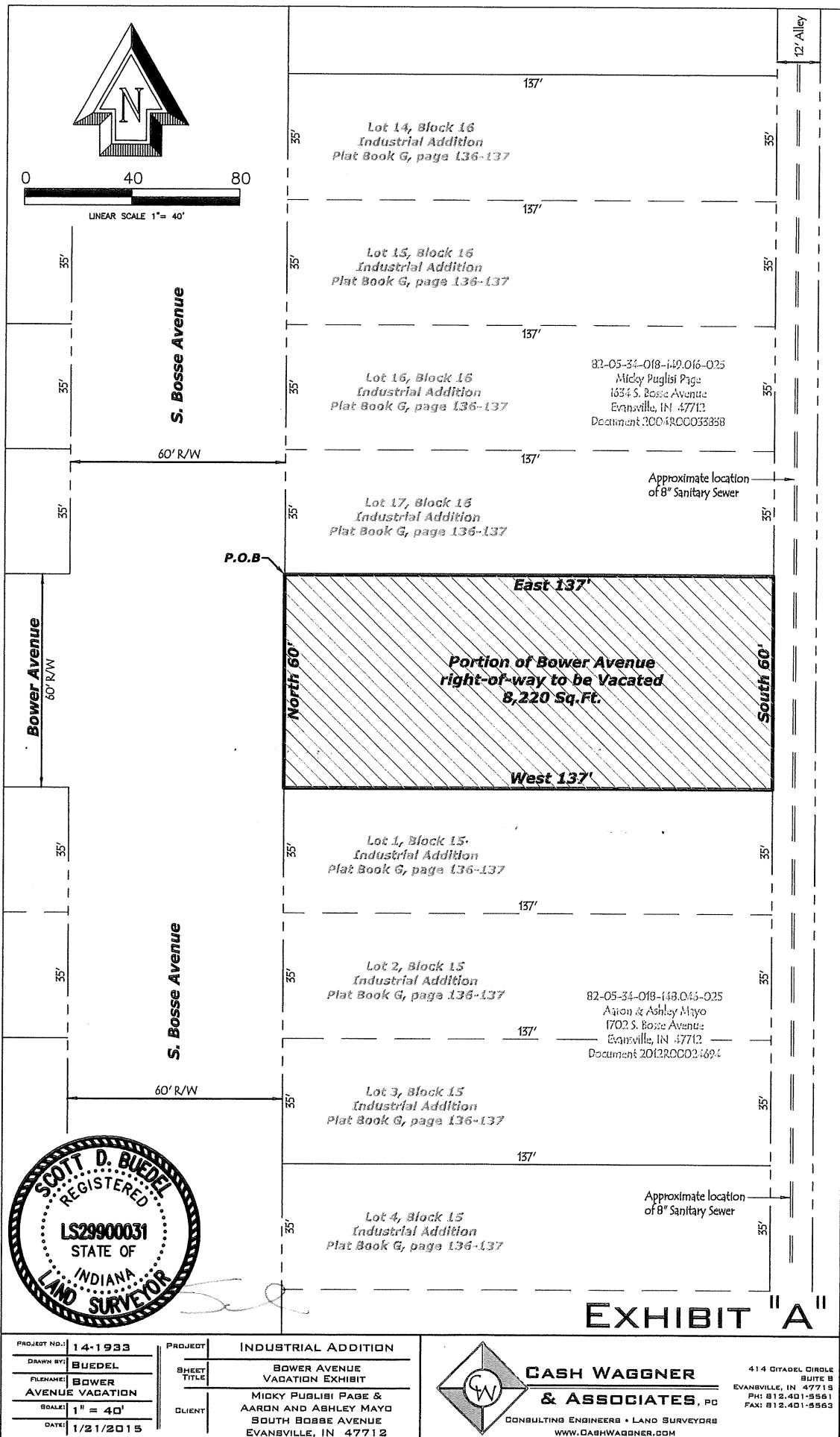


EXHIBIT "A"

PROJECT NO.: 14-1933	PROJECT: INDUSTRIAL ADDITION
DRAWN BY: BUEDEL	SHEET TITLE: BOWER AVENUE VACATION EXHIBIT
FILE NAME: BOWER AVENUE VACATION	CLIENT: MICKY PUGLISI PAGE & AARON AND ASHLEY MAYO
SCALE: 1" = 40'	SOUTH BOSSE AVENUE
DATE: 1/21/2015	EVANSVILLE, IN 47712

CASH WAGGNER & ASSOCIATES, PC

CONSULTING ENGINEERS • LAND SURVEYORS

WWW.CASHWAGGNER.COM

414 CITADEL CIRCLE SUITE B
EVANSVILLE, IN 47715
PH: 812.401-5561
FAX: 812.401-5563

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

BEFORE THE COMMON COUNCIL OF THE CITY OF EVANSVILLE

AMENDED PETITION FOR VACATION OF A PUBLIC RIGHT-OF-WAY

In accordance with Section 12.05.450 of the Municipal Code for the City of Evansville, Indiana, the following parties hereby petition the Common Council of the City of Evansville to vacate a portion of Bower Avenue lying south of Lot 17 in Block 16 in Industrial Addition and north of Lot 1 in Block 15 in Industrial Addition.

1. The petitioner and owner of the adjoining real estate known as Lots 14, 15, 16 and 17 in Block 16 in Industrial Addition, according to deed document 2004R00033838 in the Office of the Recorder of Vanderburgh County, Indiana, is Micky Puglisi Page at 1634 S. Bosse Avenue, Evansville, IN 47712.

The petitioner and owner of the adjoining real estate known as Lots 1, 2 and 3 in Block 15 in Industrial Addition, according to deed document 2012R00024694 in the Office of the Recorder of Vanderburgh County, Indiana, is Aaron and Ashley Mayo at 1702 S. Bosse Avenue, Evansville, IN 47712.

2. The right-of-way to be vacated has never been improved or used as a public thoroughfare.
3. The petitioners respectfully request that the Common Council of the City of Evansville vacate the platted public right-of-way which is more particularly described in the attached Exhibit "A".

FILED

JAN 26 2015

Anna Windner
CITY CLERK

4. A site plan identifying the right-of-way "to be vacated" is shown on the attached Exhibit "B".
5. A location map, showing the general location of the area "to be vacated" along with all of the land owners within 200 feet are shown on the attached Exhibit "C".
6. The response letter from the Evansville Water & Sewer Utility requesting a 12-foot sanitary sewer easement to be retained along with the response letters from the Evansville Fire Department, the City Engineer, WOW, AT&T, Time Warner Cable and Vectren indicating no objection to the proposed vacation are included as Exhibit "D".
7. It is noted that the response letter from the Evansville Water & Sewer Utility requesting a 12-foot sanitary sewer easement to be retained does not affect this "amended" petition. The initial petition contained additional property that would have been subject to this easement but this property was removed from the request for vacation.


WHEREFORE, the following petitioners respectfully request the Common Council of the City of Evansville to vacate the public right-of-way.



Petitioner & Owner
Micky Puglisi Page
1634 S. Bosse Avenue
Evansville, IN 47712

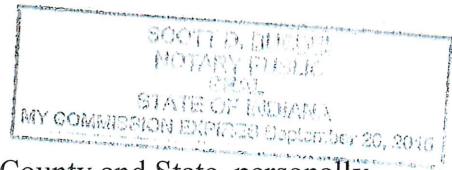


Petitioner & Owner
Aaron Mayo
1702 S. Bosse Avenue
Evansville, IN 47712



Petitioner & Owner
Ashley Mayo
1702 S. Bosse Avenue
Evansville, IN 47712

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)



Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Micky Puglisi Page, who acknowledged the execution of the foregoing petition to be a voluntary act and deed.

WITNESS, my hand and notarial seal this 23RD day of JANUARY, 2015.

[Signature]
Signature of Notary Public

SCOTT D. BUEDEL
Printed Name of Notary Public

VANDERBURGH
County of Residence of Notary

9-26-2015
My Commission Expires:

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Aaron and Ashley Mayo, who acknowledged the execution of the foregoing petition to be a voluntary act and deed.

WITNESS, my hand and notarial seal this 23rd day of January, 2015.

[Signature]
Signature of Notary Public

Melissa A. Craig
Printed Name of Notary Public

Vanderburgh
County of Residence of Notary

5/8/19
My Commission Expires:

This instrument prepared by Scott D. Buedel of Cash Waggoner & Associates, PC; 414 Citadel Circle, Suite B; Evansville, IN, 47715; Telephone: (812) 401-5561.

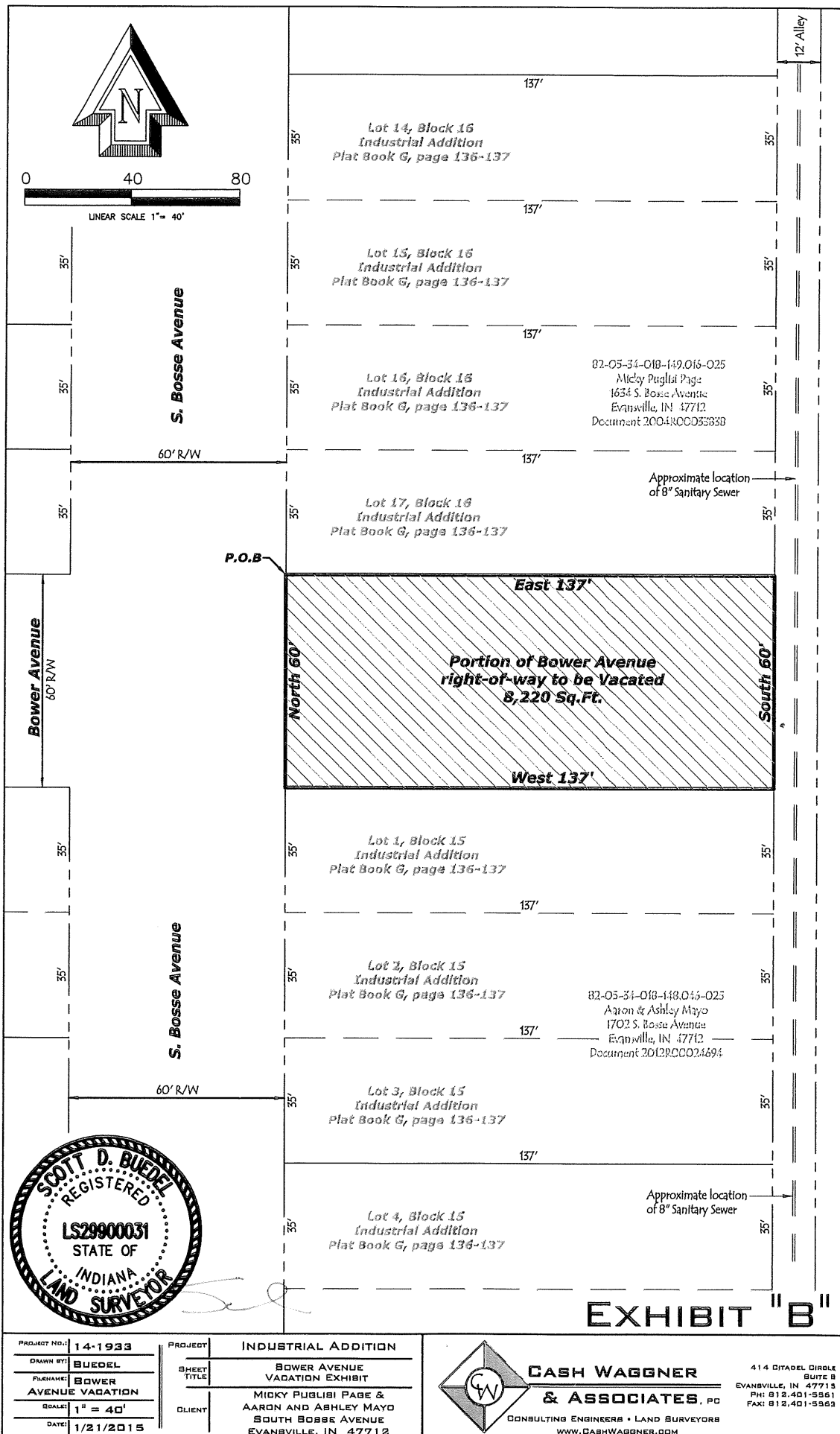
Exhibit "A"
Vacation Description

Part of Bower Avenue in Industrial Addition, as per plat thereof, recorded in Plat Book G, pages 136-137 in the office of the Recorder of Vanderburgh County, Indiana and being described as follows:

Beginning at the Southwest Corner of Lot 17 in Block 16 of said subdivision; thence along the south line of said Lot 17, East 137 feet to the Southeast Corner thereof; thence South 60 feet to the Northeast Corner of Lot 1 in Block 15 of said subdivision; thence along the north line of said Lot 1, West 137 feet to the northwest corner thereof; thence North 60 feet to the point of beginning and containing 8,220 square feet.

A handwritten signature in dark ink, appearing to read 'S. Buedel', with a stylized flourish at the end.

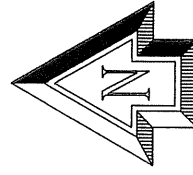
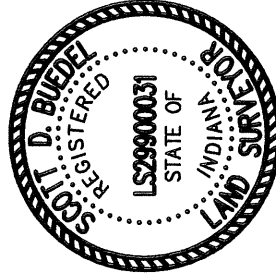
Scott D. Buedel, PLS



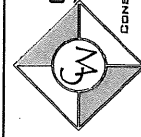
①	82-05-34-019-024.014-025 Sensmeter, Kevin 4024 Broadway Avenue Evansville, IN 47712	82-05-34-018-148-057-025 Cain, Gary S. 1711 S. Bosse Avenue Evansville, IN 47712
②	82-05-34-019-024.015-025 Sensmeter, Kevin 4024 Broadway Avenue Evansville, IN 47712	82-05-34-018-148-036-025 Knight, Margaret Marie 3327 Stocker Drive Evansville, IN 47720
③	82-05-34-018-149-012-025 Collier, Willie F. & Versie 1622 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-148-035-025 Knight, Margaret M. 1707 S. Bosse Avenue Evansville, IN 47712
⑤	82-05-34-018-148-048-025 Montgomery, Ronald R. 1708 S. Bosse Avenue Evansville, IN 47712-4105	82-05-34-018-148-034-025 Baumsyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712
⑥	82-05-34-018-148-049-025 Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-148-033-025 Baumsyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712
⑧	82-05-34-018-148-050-025 Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149-041-025 Schmitt, Allison M. 1631 S. Bosse Avenue Evansville, IN 47712
⑨	82-05-34-018-148-051-025 Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149-040-025 West, Patricia A. 1629 S. Bosse Avenue Evansville, IN 47712
⑩	82-05-34-018-148-052-025 Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149-039-025 Parker, Robert R. & Terri S. 1625 S. Bosse Avenue Evansville, IN 47712
⑪	82-05-34-018-148-053-025 Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149-038-025 Happe, Sandra 1619 S. Bosse Avenue Evansville, IN 47712

①	82-05-34-019-024,014-025 Sensmeier, Kevin 4024 Broadway Avenue Evansville, IN 47712
②	82-05-34-019-024,015-025 Sensmeier, Kevin 4024 Broadway Avenue Evansville, IN 47712
③	82-05-34-018-149,012-025 Collier, Willie F. & Versie 1622 S. Bosse Avenue Evansville, IN 47712
⑤	82-05-34-018-148,048-025 Montgomery, Ronald R. 1708 S. Bosse Avenue Evansville, IN 47712-4105
⑥	82-05-34-018-148,049-025 Baldcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712

- Limits of Land within 200' of the property to be vacated



EXHIBIT



**CASH WAGNER
& ASSOCIATES**

414 CITADEL CIRCLE
SUITE B
EVANVILLE, IN 47715
PH: 812.401-5561
FAX: 812.401-5563

CONSULTING ENGINEERS • LAND SURVEYORS
WWW.CASHWAGNER.COM

PROJECT NO.	14-1933
DRAWN BY	BUEDEL
CHECKED BY	BOWEN
FILE NAME	AVENUE VACATION
SHEET #	1 OF 125
DATE	1/21/2015
PROJECT	INDUSTRIAL ADDITION
SHEET TITLE	BOWER AVENUE ADJUDICATOR EXHIBIT
CLIENT	MICKY PUGLISI PAGE & AARON AND ASHLEY MAYO SOUTH BOSSE AVENUE EVANSVILLE, IN 47712

Lot 11, Block 17	Lot 23, Block 17	Lot 8, Block 16	Lot 1, Block 15	Lot 12, Block 16	Lot 1, Block 15	Lot 13, Block 14	Lot 3, Block 14	Lot 4, Block 14	Lot 5, Block 14	Lot 6, Block 14	Lot 7, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14
Lot 12, Block 17	Lot 24, Block 17	Lot 9, Block 16	Lot 2, Block 15	Lot 13, Block 16	Lot 2, Block 15	Lot 14, Block 14	Lot 4, Block 14	Lot 5, Block 14	Lot 6, Block 14	Lot 7, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14
Lot 13, Block 17	Lot 25, Block 17	Lot 10, Block 16	Lot 3, Block 15	Lot 14, Block 16	Lot 3, Block 15	Lot 15, Block 14	Lot 5, Block 14	Lot 6, Block 14	Lot 7, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14
Lot 14, Block 17	Lot 26, Block 17	Lot 11, Block 16	Lot 4, Block 15	Lot 15, Block 16	Lot 4, Block 15	Lot 16, Block 14	Lot 6, Block 14	Lot 7, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14
Lot 15, Block 17		Lot 12, Block 16	Lot 5, Block 15	Lot 16, Block 16	Lot 5, Block 15	Lot 17, Block 14	Lot 7, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14
Lot 16, Block 17		Lot 13, Block 16	Lot 6, Block 15	Lot 17, Block 16	Lot 6, Block 15	Lot 18, Block 14	Lot 8, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14	Lot 15, Block 14
Lot 17, Block 17		Lot 14, Block 16	Lot 7, Block 15	Lot 18, Block 16	Lot 7, Block 15	Lot 19, Block 14	Lot 9, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14	Lot 15, Block 14	Lot 16, Block 14
Lot 18, Block 17		Lot 15, Block 16	Lot 8, Block 15	Lot 19, Block 16	Lot 8, Block 15	Lot 20, Block 14	Lot 10, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14	Lot 15, Block 14	Lot 16, Block 14	Lot 17, Block 14
Lot 19, Block 17		Lot 16, Block 16	Lot 9, Block 15	Lot 20, Block 16	Lot 9, Block 15	Lot 21, Block 14	Lot 11, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14	Lot 15, Block 14	Lot 16, Block 14	Lot 17, Block 14	Lot 18, Block 14
Lot 20, Block 17		Lot 17, Block 16	Lot 10, Block 15	Lot 21, Block 16	Lot 10, Block 15	Lot 22, Block 14	Lot 12, Block 14	Lot 13, Block 14	Lot 14, Block 14	Lot 15, Block 14	Lot 16, Block 14	Lot 17, Block 14	Lot 18, Block 14	Lot 19, Block 14

82-05-34-018-148.036-025 Cain, Gary S. 1711 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-148.036-025 Knight, Margaret Marie 3327 Stocker Drive Evansville, IN 47720	82-05-34-018-148.035-025 Knight, Margaret M. 1707 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-148.034-025 Baumeyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-148.033-025 Baumeyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149.042-025 Jarvis, Philip M. 1633 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149.041-025 Schmitt, Allison M. 1631 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149.040-025 West, Patricia A. 1629 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149.039-025 Parker, Robert R. & Terri S. 1625 S. Bosse Avenue Evansville, IN 47712	82-05-34-018-149.038-025 Happe, Sandra 1619 S. Bosse Avenue Evansville, IN 47712
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ADJOINER INFORMATION

1	Sensmeter, Kevin 4024 Broadway Avenue Evansville, IN 47712	10	Cain, Gary S. 1711 S. Bosse Avenue Evansville, IN 47712
2	Sensmeter, Kevin 4024 Broadway Avenue Evansville, IN 47712	11	Knight, Margaret Marie 3327 Stocker Drive Evansville, IN 47720
3	Collier, Willie F. & Versie 1622 S. Bosse Avenue Evansville, IN 47712	12	Knight, Margaret M. 1707 S. Bosse Avenue Evansville, IN 47712
5	Montgomery, Ronald R. 1708 S. Bosse Avenue Evansville, IN 47712-4105	13	Baumeyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712
6	Belcher, James A. 1912 S. Bosse Avenue Evansville, IN 47712	14	Baumeyer, Rick & Sharmain R. 1701 S. Bosse Avenue Evansville, IN 47712
		15	Jarvis, Philip M. 1633 S. Bosse Avenue Evansville, IN 47712
		16	Schmitt, Allison M. 1631 S. Bosse Avenue Evansville, IN 47712
		17	West, Patricia A. 1629 S. Bosse Avenue Evansville, IN 47712
		18	Parker, Robert R. & Terri S. 1625 S. Bosse Avenue Evansville, IN 47712
		19	Happe, Sandra 1619 S. Bosse Avenue Evansville, IN 47712

EXHIBIT "C"

INDUSTRIAL ADDITION

PROJECT NO.: 14-1933
DRAWN BY: BUEDEL
FILE NAME: BOWER AVENUE VACATION
SCALE: 1" = 125'
DATE: 1/21/2015

SHEET TITLE: BOWER AVENUE ADJOINER EXHIBIT
MICKY PUBLISHT PAGE & AARON AND ASHLEY MAYO SOUTH BOSSE AVENUE

CLIENT: MICKY PUBLISHT PAGE & AARON AND ASHLEY MAYO SOUTH BOSSE AVENUE

CONSULTING ENGINEERS • LAND SURVEYORS

414 CITADEL CIRCLE SUITE B EVANSVILLE, IN 47715
PH: 812.401-5561 FAX: 812.401-5569

Exhibit “D”



LLOYD WINNECKE
MAYOR

EVANSVILLE WATER & SEWER UTILITY

ALLEN R. MOUNTS
DIRECTOR

1 NW Martin Luther King Blvd. Room 104 · Evansville, Indiana 47708
P O Box 19, Evansville, Indiana 47740-0001
(812) 436-7846 · FAX (812) 436-7863 · TDD (812) 436-7864

October 23, 2014

Mr. Scott D. Buedel, P.L.S.
Cash Waggoner and Associates, Inc.
414 Citadel Circle, Suite B
Evansville, IN 47715

Re.: Proposed Vacation – Portion of Bower Avenue and a portion of 12-foot Alley in Industrial Addition

Mr. Buedel,

This letter is in response to your request to vacate right-of-way and alley as referenced above. The Evansville Water and Sewer Utility (EWSU) have the following requirements:

The EWSU has an 8-inch sanitary sewer running north-south within the existing alley. The sewer is approximately 6-feet deep. Please provide a 12-foot sanitary sewer easement centered over the existing sanitary sewer as part of the vacation request. This will affect all three Tracts as shown.

If you have any questions, please call me at 421-2130 x2228.

Sincerely,

A handwritten signature in blue ink that reads "Michael D. Labitzke".

Michael D. Labitzke, PE
Deputy Director of Utilities - Engineering



LLOYD WINNECKE
MAYOR

MIKE CONNELLY
FIRE CHIEF

550 S.E. Eighth St. • Evansville, IN 47713-1786
(812) 435-6235 • FAX: (812) 435-6248 • TDD/Hearing Impaired: (812) 436-4925

September 22, 2014

Scott D. Buedel, PLS
Cash Waggner & Assoc.
414 Citadel Circle, Suite B
Evansville, IN 47715

RE: City of Evansville Department of Redevelopment-
Petition for Vacation of Right-of-Way – Streets and Alleys listed below;

Mr. Buedel;

We recognize & acknowledge request for Vacation Right-of-way of the following 3 Tracts referenced on the Bower Avenue and Alley Vacation Exhibit of the Industrial Addition Project;

- 1) Bower Ave, from S. Bosse Ave to a line 149' east of S. Bosse Ave, 60' in width;
- 2) Alley, in South 1600 block, between S. Bosse Ave and a line 140' North of Bower Ave, 12' in width;
- 3) Alley, in South 1700 block, between S. Bosse Ave and a line 105' South of Bower Ave, 12' in width;

Existing Conditions: Streets and Alleys

Effect of Vacation on Fire Department: none

Recommendations: The Evansville Fire Department has no objection in closing of above referenced streets and alleys.

Sincerely,

Dan Grimm
Chief Fire Marshal
Fire Prevention & Education
Evansville Fire Department
550 SE 8th Street
Evansville, IN 47713
812.436.4428





City Engineer's Office
CIVIC CENTER COMPLEX, ROOM 321
1 N.W. MARTIN LUTHER KING, JR BLVD.
EVANSVILLE, INDIANA 47708-1875
Phone: (812) 436-4990 FAX: (812) 436-4981
TDD/Hearing Impaired (812) 436-4934

Scott Buedel
c/o Cash Waggner & Associates, PC
414 Citadel Circle, Suite B
Evansville, IN 47715

October 23, 2014

Mr. Buedel,

The City Engineer's Office has received your vacation request for portions of the right-of-way near Bower Ave. & S Bosse Ave. The City Engineer's Office does not maintain nor is responsible for any systems in this area. As such, we have no objections to your request to vacate the area.

Thank you,

Chris Kuester
Staff Engineer

cc: File



It's that kind of experience.

October 6, 2014

Cash Waggnar & Associates
414 Citadel Circle, Suite B
Evansville, IN 47715

Attn: Scott Buedel

RE: Vacation of portion of Bower and a portion of a 12 foot alley in Industrial Addition.

Dear Mrs. Daly,

The SIGECOM/WOW Outside Plant Engineering department reviewed the attached drawing. The findings of this review determined that SIGECOM/WOW does not have facilities within the 60 foot Right-of-Way of Bower Avenue shown as Tract 1.

SIGECOM/WOW does not have facilities within the 12 foot alley of lot 14 to lot 17 in block 16 of Industrial Addition shown as Tract 2.

SIGECOM/WOW does not have facilities within the 12 foot alley of lot 1 to lot 4 in block 15 of Industrial Addition shown as Tract 3.

As a result of these findings, SIGECOM/WOW does not have any objection to the vacate proposal for the 60 foot Right-of-Way of Bower Avenue and the 12 foot alley of lots 14 to 17 in block 16 and lots 1 to 4 in block 15 of Industrial Addition as shown as Tract 1, Tract 2 and Tract 3.

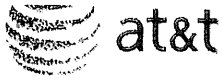
This letter granted by SIGECOM/WOW for said vacation is valid for One Hundred and Eighty (180) days. If the Evansville City Council passes this vacation request, I would like to receive a copy of the recorded ordinance to be used for the purpose of updating our records.

Please contact my office should you have any questions or need any additional information.

Sincerely,

Rick Bowen
Outside Construction Manager
SIGECOM/WOW
812-437-0395
rick_bowen@wideopenwest.com

cc: file



AT&T Indiana
134 NW Sixth Street
Evansville, IN 47708

T: 812-464-6055
F: 812-464-6120
www.att.com

October 9, 2014

Scott Buedel
Cash Waggner and Associates
414 Citadel Circle, Suite B
Evansville, Indiana 47715

Re: Vacation of portion of Bower Avenue and a portion of a 12-foot alley in Industrial Addition

Dear Mr. Buedel,

This letter is in response to your request to have the platted right-of-way for Bower Avenue, between the east line of Industrial Addition and the east right-of-way of Bosse Avenue; as well as a portion of a 12' rear alley crossing lots 14-17 in block 16 and lots 1-4 in block 15 of Industrial Addition. In your 9/10/14 letter request, you included a drawing depicting the portions of the right-of-way you would like to have vacated.

I have reviewed our records for the area indicated on your exhibit, and found that AT&T does not have facilities located within the indicated portions right-of-way. As such, AT&T has no objections to the vacation of the indicated portions of the right-of-way as depicted on your drawing.

Please let me know if you have any questions or concerns regarding your project.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Folz".

Andrew J. Folz
AT&T Indiana
Engineer

1900 N. Fares Ave
Evansville, Indiana 47711
Ph: (812)253-2755
Fax: (812) 909-0293
Cell: (812) 305-8348



September 16, 2014

Cash Waggoner & Associates, PC
Scott D. Buedle, PLS
414 Citadel Circle, Suite B
Evansville, IN 47715

RE: Vacation of portion of Bower Avenue and a
Portion of a 12-foot Alley in Industrial Addition

Dear Mr. Buedle,

In reference to your request to do a study regarding the above proposed vacation, Time Warner Cable has conducted a study and find we do not have facilities along the proposed vacate area.

Time Warner Cable does not oppose to the vacation of the above mentioned area.

If you have any questions or require additional information please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daryl Hulsey".

Daryl Hulsey
Construction Technician
Time Warner Cable



Vectren Corporation
P.O. Box 208
Evansville, IN 47702-0208

October 28, 2014

Cash Waggner & Associates, PC
Attn: Scott D. Buedel, PLS
414 Citadel Circle, Suite B
Evansville, Indiana 47715

Re: Proposed vacation of a portion of Bower Avenue and a portion of a 12-foot alley in Industrial Addition, located in Vanderburgh County, Indiana, and being all that part lying within the lines of the "Right-of-Way to be Vacated" depicted on the attached Right-of-Way Vacation Exhibit.

Petitioner: Micky Puglisi Page, Aaron and Ashley Mayo

Dear Mr. Buedel:

Engineering representatives for Southern Indiana Gas and Electric Company, Inc. doing business as Vectren Energy Delivery of Indiana ("VEDI") have researched the above location requested for vacation and has determined that there are presently no active VEDI utility facilities existing within the boundaries of the subject right of way shown on the attached "Exhibit" that you provided us on September 10, 2014.

In view of these findings VEDI has no objection to the proposed Petition to vacate a portion of the subject public right of way as referenced herein and as described on the Exhibits attached hereto.

The consent granted by VEDI for said vacation is valid for ninety (90) days. This is due to the constant installation of our facilities at numerous locations. If this vacation request is not petitioned and passed by the Common Council within this time period, this letter becomes invalid, requiring a new study to be done by VEDI.

Please forward to my attention a copy of the recorded ordinance upon passing for our records.

Sincerely,

Colby Morris
Land Services, Right of Way Agent
Vectren Energy Delivery of Indiana
812 491 4785